

Court of Appeals, State of Michigan

ORDER

People of MI v Marie Margaret Permuy

Docket No. 282154

LC No. 05-012708-FY

Michael R. Smolenski
Presiding Judge

David H. Sawyer

Jane M. Beckering
Judges

Pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, the Court orders that defendant's sentence is VACATED and this matter is REMANDED to the trial court for resentencing. On remand, the court shall sentence defendant within the appropriate sentencing guidelines range or else articulate on the record a substantial and compelling reason for departing from the guidelines range in accordance with *People v Babcock*, 469 Mich 247; 666 NW2d 231 (2003).

This order has immediate effect. MCR 7.215(F)(2). The Court does not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 18 2008

Date

Sandra Schultz Mengel
Chief Clerk